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Report of the Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia

I. Introduction

1. The present report is submitted pursuant to paragraph 31 of Security Council resolution 2184 (2014), in which the Council requested me to report on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia.

2. The report covers major developments since my previous report, of 16 October 2014 (S/2014/740), until 11 October 2015. The assessment and observations herein are based on information provided by Member States and regional organizations, in conformity with paragraph 30 of resolution 2184 (2014). Information was provided by Germany, India, Japan, Latvia, Serbia, Turkey and the United Kingdom of Great Britain and Northern Ireland, as well as by the European Union and the North Atlantic Treaty Organization (NATO). The United Nations system, the International Criminal Police Organization (INTERPOL) and the Monitoring Group on Somalia and Eritrea were also consulted.

II. Main developments and trends regarding piracy off the coast of Somalia

3. It has been more than two years since a large commercial vessel has been hijacked and held for ransom by Somali pirates. Following the trend in 2013, the total number of incidents caused by pirates based in Somalia continued to fall, from 20 in 2013 to 12 during the reporting period, according to figures provided by the International Maritime Organization (IMO). This represents a significant decrease from the 78 reported in 2007, when Somalia-based piracy was prevalent, and the 237 ships targeted by Somali pirates in 2011. The total number of seafarers from large commercial vessels who are being held hostage by Somali pirates currently stands at 26, compared to 37 in October 2014.

4. The positive overall trend notwithstanding, credible reports suggest that commercial ships remain a target of Somali pirates. In most cases, ships were successful in preventing attacks through vigilance, situational awareness and an assertive response, in accordance with the Best Management Practices for Protection against Somalia-based Piracy. Combined threat assessments by the European Union Naval Force (EUNAVFOR), NATO and the Combined Maritime

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Forces with regard to the threat of piracy, in terms of capability, intent and opportunity, suggest that the continued suppression of piracy is reliant on the maintenance of collective response mechanisms by Member States, regional actors and the United Nations system. In addition, it is stressed in the assessments that root causes, such as a fragile economy, the lack of alternative livelihoods and weak governance structures, continue to require the attention of the Federal Government of Somalia, with support from the international community.

5. Smaller vessels remain vulnerable. Figures for 2014 from the United Nations Office on Drugs and Crime (UNODC) show that there were 18 pirate attacks on fishing vessels and two dhows were held. In addition, in early 2015, 37 Iranian fishermen aboard two fishing vessels, the *Siraj* and the *Jaber*, were seized by pirates after allegations of illegal fishing activities. The *Jaber* subsequently escaped with its crew; 19 hostages continue to be held, however.

6. There is evidence of a complex relationship between piracy and illegal, unreported and unregulated fishing. The Secure Fisheries programme, in its report of 16 September 2015, and the Food and Agriculture Organization of the United Nations (FAO) noted a marked increase in reports of such fishing by foreign vessels off the coast of Somalia, reflecting the perceived reduction in the threat of piracy in the area. Noting the upturn in attacks on fishing vessels close to the Somali coast since the beginning of 2015, it was noted by Secure Fisheries and FAO that local frustration with such activities may be contributing to a reappearance of coastal community support for piracy.

7. It also remains clear that despite a marked reduction in the commission of piracy attacks, the criminal networks behind such acts have not been defeated. During the reporting period, crime trends indicated that the Indian Ocean was increasingly exploited by criminal organizations to engage in seaborne transnational criminal activities, including trafficking in persons and smuggling of migrants, drug trafficking, illegal fishing and wildlife and forestry crime. Such activities leverage the existing resources and expertise of criminal syndicates, including pirate and terrorist networks, and take advantage of normative vacuums in the regulation of international and territorial waters and maritime law-enforcement capacities to further illicit activities.

III. Hostage release and support efforts

8. In February 2015, four Thai nationals from the fishing vessel *Prantalay 12* were released and repatriated. All crews held hostage had been mistreated; some of the hostages released had suffered torture and ill-treatment during captivity and will require significant aftercare.

9. Twenty-six crew members of the fishing vessel *Naham 3* have remained in captivity since 2012. As noted above, 19 fishermen from the *Siraj* were taken hostage on 26 March 2015. In addition, a pirate group has been holding two Kenyan citizens taken hostage on land in 2014. The Hostage Support Programme, which is funded by the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, constantly monitors the conditions of individuals held in captivity, provides medical support, and engages in dialogue with both government counterparts and pirate groups to advocate and secure the release of such individuals. UNODC and partners continue to support efforts to achieve the

objective of zero ships and zero seafarers in the hands of Somali pirates, adopted by the Contact Group on Piracy off the Coast of Somalia.

IV. Development of counter-piracy efforts in Somalia

A. Legal and policy frameworks

10. The reporting period saw notable progress by the Federal Government of Somalia in developing relevant legal, policy and coordination frameworks to address the threat of piracy. With support from the United Nations Assistance Mission in Somalia (UNSOM) and EUNAVFOR, the Federal Government completed a draft coastguard law, which was submitted to the Council of Ministers for subsequent approval by Parliament. IMO also provided the Ministry of Ports and Marine Transport of the Federal Government with draft guidelines for the establishment of a maritime administration department, with the goal of enabling Somalia to diligently undertake its flag, port and coastal State responsibilities.

11. Further to discussions with international partners within the framework of the Contact Group on Piracy off the Coast of Somalia, steps were taken to ensure proper management and coordination among Somali federal and regional authorities regarding the exploitation of maritime resources. At a meeting held on 7 July 2015, representatives of the relevant entities agreed to operationalize a maritime security coordination committee to facilitate cooperation between the national maritime coordination committee of the Federal Government of Somalia, the Somali regional maritime coordination committees (including the Puntland and Galmudug administrations, the Interim Jubba Administration and other current and future regional administrations) and "Somaliland". The committee is expected to serve as an important mechanism for information-sharing and cooperation to optimize the implementation of counter-piracy and maritime security capacity-building programmes.

12. Coordination between the Somali authorities and international partners was further institutionalized within the framework of the Somali Compact. With the support of UNSOM, a Somali navy and coastguard working group was established in alignment with Priority 4 (maritime strategy) of Peace and State-building Goal 2 (Security) of the Compact. This coordination, which brings together the Federal Government of Somalia and international partners, is aimed at advising and assisting the Ministry of Defence in developing its maritime security forces.

B. Capacity-building

13. Numerous international partners contributed to building the capacity of the Federal Government of Somalia and the interim regional administrations to fully exercise law-enforcement powers in coastal areas. In this regard, financial support from Germany, the United Kingdom and other Member States to INTERPOL, the European Union civilian mission, EUCAP Nestor, which assists host countries in building self-sustaining capacity on counter-piracy, maritime governance and security, and United Nations programmes and projects, notably the UNODC Maritime Crime Programme, helped to strengthen the capacity of prosecution

authorities and maritime security entities, build a maritime administration, and promote livelihood development in Somalia.

14. In addition, on 16 October 2014, 61 Somali cadets from the coastguard and port police graduated from a seven-week training course in Djibouti. The UNODC Maritime Crime Programme provided maritime law-enforcement and engineering mentors, who delivered on-the-job training and mentoring within the Somali maritime police and coastguard units.

15. UNODC continued to build the capacity of maritime law-enforcement authorities in Somaliland, Puntland and southern and central Somalia. Prison operations were supported through the provision of food, health-care services and medicines and other procurement activities, while Custodial Corps staff received training on security and information management. In collaboration with UNODC, prison mentors routinely reviewed security conditions to reduce the risk of escape or mistreatment, particularly with respect to prisoners transferred under the Piracy Prisoner Transfer Programme and other high-risk offenders.

16. In Mogadishu, the UNODC mentoring programme focused on building the maritime and policing skills of the maritime unit of the Somali police force. During the reporting period, 22 officers received advanced training and 20 new recruits received initial training. The first group of trainees is supporting maritime forces of the African Union Mission in Somalia (Uganda People's Defence Forces) in patrolling the waters off Mogadishu International Airport. On land, UNODC continued its multi-year programme of training, procurement and construction work at the Mogadishu prison and court complex, which is set to be a unique facility in southern and central Somalia that will provide a secure environment for trials of high-risk prisoners such as pirates, terrorists and former combatants. During the reporting period, construction work was undertaken to expand the prison's secure area and thus reduce overcrowding. Training was delivered to 75 custodial officers and uniforms were issued to 350 officers, with a view to improving security and professionalism. The project will continue until the end of 2016.

17. In Puntland, UNODC supported the port police through the provision of equipment and the construction of the port police headquarters, which will serve as a training and operations planning centre. Work commenced in 2015 and will continue throughout 2016. In Galmudug, the police station in south Gaalkacyo was refurbished as part of the UNODC programme, with a view to building the capacity of law-enforcement authorities based there that are responsible for conducting investigations into piracy and other maritime crime. The activities were funded by the Trust Fund and will be completed in 2015.

18. In Somaliland, the same programme provided six boats and trained five teams of eight officers on vessel handling and boarding tactics, safety of life at sea and the use of force. In addition, UNODC provided three intensive training courses to existing boat crews, and 15 senior officers received dedicated training on operational readiness and standard operating procedures. Such training and mentoring efforts have led to 51 interdictions of illegal fishing vessels by "Somaliland" authorities since December 2014, including the interception of an illegal consignment of weapons, the rescue of the crew aboard a burning ship, and the provision of support for the safe passage of refugees and Somali returnees fleeing the conflict in Yemen.

19. The Division for Ocean Affairs and the Law of the Sea within the Office of Legal Affairs of the Secretariat, with the support of UNSOM, conducted two training activities, one for officials of the Federal Government of Somalia and the interim regional administrations and one for parliamentarians, which were financed through the Trust Fund. The objective was to build the knowledge and capacity of Somali legislators and technical officials regarding the rights and duties of States in the maritime zones set out in the United Nations Convention on the Law of the Sea, including in relation to the repression of piracy. From May to September 2015, the Division also provided one Federal Government official with specialized training on issues relating to ocean affairs and the law of the sea, which was funded through a special strategic fellowship award from the United Nations-Nippon Foundation of Japan Fellowship Programme.

20. Noting the link between illegal fishing and piracy, FAO facilitated capacity-building and training of fisheries observers and inspectors in order to build the capacity of the Federal Government of Somalia to effectively monitor, control and exercise surveillance of its waters, ensure that national and international fishing vessels comply with local and international regulations, and collect fisheries data. A small team of officials from the Federal Government and the interim regional administrations received fisheries management training in the United Republic of Tanzania. FAO also provided technical support to Somalia in meeting its obligations as a Contracting Party of the Indian Ocean Tuna Commission.

C. Tackling root causes of piracy

21. The underlying factors enabling piracy include a fragile economy, the lack of alternative livelihoods, insecurity and weak governance structures. Efforts to address these issues are continuing within the framework of the Somali Compact for peacebuilding and State-building. The latest developments are reflected in my reports on Somalia of 11 September (S/2015/702), 12 May (S/2015/331) and 23 January 2015 (S/2015/51).

22. During the reporting period, FAO provided technical and legal support for the establishment of a federal Somali fisheries authority under the Ministry of Fisheries and Marine Resources. This would enable Somalia to benefit from revenue generated by licences issued to foreign-flagged fishing vessels and to effectively exercise surveillance of its waters, with the potential to curtail illegal fishing and associated community support for such activity.

23. Meanwhile, with support from the Trust Fund, FAO provided technical assistance to Somalia in building a registration scheme enabling Governments, non-governmental organizations and international naval missions to confirm the identities of fishermen and thereby protect their livelihoods. More than 4,500 fishermen in Puntland were registered and 3,500 identification cards were distributed. Similarly, 700 fishermen have been registered by the Galmudug and Jubba interim regional administrations.

24. FAO also supported rehabilitation and construction initiatives for improving access to markets for fishermen in Mogadishu, Kismayo, the towns of Eyl and Boosaaso in Puntland and the port of Berbera in Somaliland, and introduced two new vessel designs to help fishermen to increase their catches. Local capacity to build the new vessels in Boosaaso and Berbera will be fully established by the end

of 2015. Following successful pilot projects to produce value-added sundried tuna in Boosaaso and Mogadishu during the reporting period, FAO initiated plans to extend the work to fishing communities and communities of internally displaced persons in coastal areas, which it hopes will make a major contribution to food security and employment.

25. The deployment in Puntland early in November 2015 of 25 fish aggregating devices to collect fish, which are on contract to FAO, should underpin related efforts to improve coastal livelihoods without increasing competition or conflict within coastal communities, and may stimulate youth employment in such communities.

V. International cooperation

A. Contact Group on Piracy off the Coast of Somalia

26. The Contact Group on Piracy off the Coast of Somalia held its seventeenth plenary session in Dubai, United Arab Emirates, on 28 October 2014 and its eighteenth plenary session in New York on 8 July 2015. It endorsed the offer of the Government of Seychelles to chair the Contact Group during 2016.

27. At the eighteenth plenary session, in addition to receiving updates and presentations from the Federal Government of Somalia and FAO, participants discussed the scope of the high-risk area, the eastern limit of which had been extended in 2011 from longitude 65° east to longitude 78° east in response to the rise in incidents of piracy. Many Member States with coastlines bordering the Indian Ocean, including India, Oman and Pakistan, and other Member States in the Horn of Africa, the Arabian Peninsula and South Asia, called for the revision of the coordinates of the high-risk area, since no incidents of piracy east of longitude 65° east have been reported in the past three years. In particular, India highlighted adverse consequences arising from the continued extension of the high-risk area, including the rerouting of merchant vessels closer to the coast of India, excessive false alarms that could undermine the military effort, the presence of "floating armouries" and armed guards without proper regulation in India's maritime zones and adjacent waters, and the increased cost of shipping owing to higher insurance charges. In the light of these concerns, the Contact Group called upon the insurance and maritime industries to take the steps necessary for a substantive review of the high-risk area within three months and report back to the Chair, while noting that a consideration of revision did not imply reduced vigilance or disengagement. On 2 October 2015, representatives of the insurance and maritime industries agreed to revise the limits of the high-risk area, which will significantly reduce the areas at sea deemed to be at high risk of piracy.

28. The working groups of the Contact Group also continued their work. At its meeting of 7 July 2015, the Working Group on Capacity-Building welcomed the agreement by the Federal Government of Somalia, "Somaliland", Puntland and the interim regional administrations to operationalize the Maritime Security Coordination Committee, noting that emphasis should be placed on implementing the Somali Maritime Resource and Security Strategy. It took note of the agreement between representatives of the Federal Government of Somalia, "Somaliland", Puntland and the interim regional administrations that, once established, the

Coordination Committee should in due course assume the role and functions of the Working Group.

29. The Working Group on Disrupting Pirate Networks Ashore observed that pirate leaders and financiers based in Somalia are enjoying de facto impunity there. They are neither arrested, prosecuted nor extradited, and can often invest the illegal proceeds of piracy in other trades, both legal and illegal, or move them abroad.

30. The Working Group on Maritime Counter-Piracy and Mitigation Operations reported on the work of the technical subgroup on maritime situational awareness, which had stated that the current maritime situational awareness framework and its associated system architecture must be sustained. Meanwhile, regional stakeholders have started to form a maritime situational awareness organization that will combine the action of existing centres with a regional network of information-sharing and fusion centres. A joint maritime communications initiative for Somalia is being developed by UNODC, EUCAP Nestor and Oceans Beyond Piracy, which will provide initial operating capability for Somalia and its regions.

31. A law enforcement task force was formed in 2014 in recognition of the need to bring together law enforcement partners from around the world to coordinate investigations into and share information on land-based Somali pirate leaders. In October 2014, the task force identified pirate leaders against whom investigators and prosecutors would work by sharing information, advising one another on strategy and best practices and carrying out investigations. Meanwhile, the Legal Forum of the Contact Group discussed and adopted its mission as a platform for the study, analysis and discussion of legal matters relating to piracy issues.

B. Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia

32. As at 30 June 2015, the total balance of the Trust Fund stood at $1.8 million. Since December 2012, the Trust Fund has received a total of $12.7 million from 17 donors.

33. On 28 October 2014, the Board of the Trust Fund convened in Dubai, United Arab Emirates, for its sixteenth meeting, chaired by the Department of Political Affairs. The Board approved three projects submitted by FAO and UNODC, which amounted to $900,000. The two FAO projects approved by the Board provide biometric-based database systems for fishermen and vessels to the Ministry of Fisheries and Marine Resources, the ports of Galmudug and the Ministry of Agriculture, Livestock and Fisheries of the Interim Jubba Administration. The UNODC project is designed to equip 80 at-risk young people in Boosaaso with livelihood skills, thereby deterring them from involvement in piracy and violent activities and contributing to the economic development of their communities.

34. On 7 July 2015, the Board of the Trust Fund at its seventeenth meeting reviewed a total of five new projects for funding, three of which were approved for a total amount of $808,487. The projects were (a) a request by UNODC for an ad hoc replenishment of $200,000; (b) a UNODC project on detention and transfer in the areas of Garoowe, Puntland, and Hargeisa, Somaliland; and (c) a project by IMO on support to maritime governance in Somalia. It was further agreed that (a) gender analysis should be included in the development of all future project proposals; and

(b) steps should be taken to increase links between the Trust Fund and the Somali Compact to ensure complementarity between projects supported under the Trust Fund and the goals of the Compact, as well as with the United Nations Multi-Partner Trust Fund established within the framework of the Compact. The representative of Somalia stressed the need for the Federal Government of Somalia to be fully consulted on projects.

C. Cooperation on piracy-related prosecutions

35. The United Nations, Member States and regional organizations continue to support Somalia and other States in the region in their efforts to prosecute suspected pirates and punish convicted pirates, including onshore facilitators and financiers, consistent with applicable international human rights law. The UNODC Maritime Crime Programme in particular continues to support States in the region that are prosecuting piracy.

36. To date, naval forces operating in the Gulf of Aden and the western Indian Ocean have detained a total of 323 suspected pirates, of whom 164 have been tried in Kenya, 147 in Seychelles and 12 in Mauritius. EUNAVFOR detained 155 of the suspected pirates, while others were detained by international naval forces operating under NATO Operation Ocean Shield or by the Combined Maritime Forces. The Seychelles coastguard detained 41 suspected pirates. A total of 48 men have been transferred for trial in Seychelles. On 13 March 2015, the Supreme Court of Seychelles returned a guilty verdict against nine pirates handed over by Denmark in November 2013. Eight adult defendants received sentences of 14 years each, while the juvenile defendant was sentenced to three years' imprisonment.

37. Judgements in two cases were delivered by the Seychelles Court of Appeal on 28 August 2015. In the case of seven Somali men detained by EUNAVFOR in February 2013, the Court of Appeal found that insufficient consideration had been accorded to the defence at the trial before the Supreme Court of Seychelles, and quashed their convictions. In the case of six Somali men detained by the navy of the Netherlands in August 2012, an appeal was made by one of the men for the court's consideration and the remaining five sentences were reduced from 24 to 12 years. EUNAVFOR continues to support the prosecution in one further trial in Seychelles, including assistance with the location and attendance of witnesses.

38. In June 2015, the Supreme Court of Mauritius heard the prosecution appeal in the case of 12 suspected pirates acquitted by the Intermediate Court in November 2014. It is anticipated that the Supreme Court will provide its judgement in 2015.

39. Five suspected pirates remain on remand in Seychelles. The UNODC Maritime Crime Programme supported regional prosecution efforts through the provision of interpretation services, support to prosecutors, travel of witnesses and video evidence facilities for witnesses.

40. To alleviate the burden on prosecuting and detaining States while promoting closer ties with families and countries of origin, the UNODC Maritime Crime Programme facilitated the transfer and repatriation of Somalis convicted or acquitted of acts of piracy. During the reporting period, the Programme carried out two post-sentence repatriations and five repatriations of acquitted Somali men from

Seychelles, and six post-sentence repatriations from Kenya. As piracy trials progress, more repatriations and transfers are expected in the final quarter of 2015.

41. Prosecutions and court procedures also continued in Germany, with cooperation between the Federal Ministry of Justice and Consumer Protection and law-enforcement and military authorities.

42. There were no transfers of prisoners by UNODC during the period under review.

D. Naval activities off the coast of Somalia

43. International naval missions from the European Union, NATO and the Combined Maritime Forces, in addition to counter-piracy missions of several Member States, including China, Colombia, India, Iran (Islamic Republic of), the Republic of Korea and the Russian Federation, continued to ensure security at sea by protecting merchant vessels and deterring pirate activity in the Gulf of Aden and the Indian Ocean, as authorized by the Security Council in its resolution 2184 (2014).

44. The European Union Naval Force operation Atalanta continued to deter and disrupt piracy off the coast of Somalia. It comprises up to five warships, three maritime patrol aircraft and more than 1,000 personnel, and includes contributions from Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Serbia, Spain, Sweden and the United Kingdom. It has to date provided complete protection to World Food Programme shipping, as well as to vessels supporting the African Union Mission in Somalia, such that no ship operating for either organization has been attacked by pirates since the beginning of the operation in 2008. In December 2014, the European Union extended the operation for a further two years until December 2016, with a revised mandate to support other European Union missions and instruments in Somalia, as a secondary task, upon request and within its means and capacities, as part of the European Union's comprehensive approach to Somalia.

45. NATO Operation Ocean Shield also continued to make a significant contribution to the international response to piracy off the Horn of Africa by deploying up to four vessels and, at times, maritime patrol aircraft. As decided by the North Atlantic Council, the operation will continue until the end of 2016 with a focused presence in the Indian Ocean during the inter-monsoon periods, when the risk of possible pirate attacks is at its highest. Operation Ocean Shield continues to coordinate its activities at the tactical level with other counter-piracy stakeholders. In 2015, Australia participated in the operation for a limited period, and Colombia has been supporting the operation since 14 September. The NATO Shipping Centre in the United Kingdom has continued to support merchant shipping in the high-risk area of the Indian Ocean by providing timely information. NATO continues to chair coordination meetings of the Shared Awareness and Deconfliction mechanism on a rotational basis with the Combined Maritime Forces and EUNAVFOR.

46. The counter-piracy efforts of the Combined Maritime Forces in the Gulf of Aden, the Arabian Sea, the Indian Ocean, the Somali Basin and the Red Sea are managed by Combined Task Force 151, which is one of three task forces of the

Combined Maritime Forces with the objective of disrupting piracy and armed robbery at sea. Combined Task Force 151 works in close cooperation with the European Union and NATO and maintains a consistent air and sea presence, with a variable force flow of vessels, aircraft and personnel from contributing States. During the reporting period, it was under the command of New Zealand, Thailand, Pakistan and Japan, and is currently under the command of Turkey.

47. The naval forces of Turkey have been participating in both Combined Task Force 151 and NATO Operation Ocean Shield. The Indian Navy continues to conduct anti-piracy patrols in the Gulf of Aden. Japan is also continuing its anti-piracy operations through the deployment of Maritime Self-Defence Force destroyers and maritime patrol aircraft in the Gulf of Aden.

E. International capacity-building

48. In addition to the many capacity-building activities in support of Somalia already listed, the IMO programme for implementation of the Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden continues to deliver results in the four thematic areas of information-sharing, training, national legislation and capacity-building. To date, more than 60 training courses have been delivered under the programme, benefiting more than 1,000 trainees, with more courses scheduled. The establishment of the information-sharing network and the enhancement of maritime domain awareness in the region were noted as significant achievements.

F. Emerging issues in the Indian Ocean rim

49. To address the evolving nature of the maritime threats in the Indian Ocean and their transnational links, the Indian Ocean Forum on Maritime Crime has emerged as a regional network among Indian Ocean States to tackle broader maritime crime. It is supported by the UNODC Maritime Crime Programme, the engagement of which in the implementation of Security Council resolution 2182 (2014) is also part of new efforts to disrupt maritime crime originating in the region. The Forum was welcomed at the African Union Extraordinary Summit on Maritime Safety and Security in February 2015 and at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

VI. International legal and judicial issues, including human rights considerations

50. Pursuant to resolutions 1976 (2011), 2015 (2011) and 2020 (2011), in which the Security Council called upon States to criminalize piracy under their domestic law, some Member States reported progress in enacting the requisite national legislation. Latvia reported that it continues to work on improvements in its national laws to enhance the safety of ships, shipping companies, ports and port installations, and to recognize maritime and shipping organizations at the national level. Germany reported that it has provisions in its national legislation to tackle piracy and exercises jurisdiction in accordance with the principle of universal jurisdiction in cases in which the crime of an attack on maritime traffic has been committed.

51. A key outstanding issue is the regulation of sea-based private security contractors and their activities in counter-piracy operations. In particular, the use of force and possible detention of pirates by such contractors may affect the international regulatory framework governing private security companies. The matter was discussed during the fourth session, held from 27 April to 1 May 2015, of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies.

52. The IMO Maritime Safety Committee held its ninety-fifth session from 3 to 12 June 2015, at which it approved revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the high-risk area (see annex to MSC.1/Circ.1406/Rev.3). In accordance with the revised interim recommendations, if the use of such personnel is determined to be an appropriate and lawful measure, the flag States are recommended to establish a policy that ensures that private maritime security companies employing such personnel on board ships hold valid accredited certification to *Ships and Marine Technology — Guidelines for Private Maritime Security Companies providing privately contracted armed security personnel on board ships* (ISO 28007-1:2015), the objective of which is to improve sector-specific security and human rights, or meet applicable national requirements.

53. In line with its monitoring obligations, UNODC continued to support six-monthly visits by the International Monitoring Committee, an independent mechanism based on an agreement between UNODC and the Somali authorities, to prisons holding prisoners transferred under the Piracy Prisoner Transfer Programme to ensure that conditions remain secure and humane and that minimum detention standards are upheld, in accordance with international human rights law.

VII. Observations

54. I welcome the continuing decline in piracy off the coast of Somalia. This sustained trend is a tribute to extraordinary and innovative international cooperation to address a threat to our shared peace and security. I commend the Contact Group on Piracy off the Coast of Somalia and the international naval forces for their work. The continuing decrease in piracy is due in no small measure to their efforts, support and coordination.

55. I welcome the substantial gains made by Somalia and its efforts to develop and coordinate maritime governance mechanisms. I note with appreciation that the Somali coastguard took up its operational duty station at the entrance of Mogadishu seaport in October 2014, after 23 years. I also encourage the convening of the Maritime Security Coordination Committee at the earliest opportunity, which will bring all of the necessary parties together to establish Somali maritime governance and prioritize the maritime security forces. The United Nations stands ready to support the Federal Government of Somalia on this front.

56. The multinational forces' combined threat assessments suggest that — provided the collective response mechanisms are maintained — piracy will continue to be suppressed successfully off the coast of Somalia, even if the intent or capability are never entirely eliminated. In this regard, I note the key challenges highlighted by the Combined Maritime Forces, NATO and the European Union

Naval Force, which include the variable force flow of vessels, aircraft and personnel of the three multinational naval operations; weaknesses in the regional capacity for arrest, prosecution and detention of pirates; the root causes of piracy, such as a fragile economy, including high youth unemployment, linkages to illegal, unreported and unregulated fishing and weak governance structures; the need to strengthen regional and national capacity, including by addressing identified gaps; the unstable situation in Yemen, the implications of which are not yet fully understood but have the potential to profoundly affect the region; and the ongoing discussions on the transition of military operations beyond 2016.

57. I remain concerned that, without the continued support provided by the international naval presence and the self-protection measures adopted by the shipping industry, large-scale piracy may return. While capacity-building efforts ashore are under way, they have yet to produce lasting and sustainable effects. I call upon the international community to increase its support to Somali efforts in the areas of governance, the rule of law and economic development to tackle the root causes of piracy off the coast of Somalia. Although the Trust Fund to Support the Initiatives of States Countering Piracy off the Coast of Somalia and its partners have been tackling some root causes, including livelihoods for at-risk young people, more needs to be done on a systematic and larger scale, in coordination with the Somali Compact.

58. In addition, I call upon the international community to cooperate in halting foreign illegal, unreported and unregulated fishing in the Somali exclusive economic zone through the sharing of information, the regulation of foreign fishing vessels, and support to the Somali authorities in developing a licensing regime for foreign vessels. This has the potential to generate much-needed revenue, which could be invested in tackling the root causes of piracy.

59. The importance of following a complete judicial process, which involves support to the region to carry out the arrest, detention, prosecution, trial and conviction of pirates in compliance with human rights, is crucial to breaking the "catch and release" cycle of impunity. To enable this, a clear legal framework governing maritime security must be in place throughout Somalia. In this regard, the commitments made by the Federal Government of Somalia, the interim regional administrations and the "Somaliland" authorities to enact appropriate legislation to enable governance and policing of the maritime domain are very welcome.

60. The international community should continue to support the efforts of the Somali authorities to prosecute and punish individuals suspected of piracy in compliance with international human rights law. Adherence to international human rights standards is fundamental in tackling not only maritime piracy but also larger threats to international peace and security. I welcome efforts by States to ensure that suspects are given a fair trial and that their conditions of imprisonment are humane and secure.

61. I also welcome Seychelles taking on a leadership role as the next Chair of the Contact Group on Piracy off the Coast of Somalia. I further welcome the initiative of Seychelles of commencing the first trial before the country's newly established court for piracy and maritime crime. Funding for the facility was obtained through an exemplary collaboration between UNODC, the Governments of the Netherlands and the United Kingdom and the Trust Fund.

62. In addition to efforts towards the prosecution and sentencing of pirates, it is important to coordinate international efforts that target the financing, money-laundering and support structures on which the piracy networks survive. It is therefore important to continue international support for the work of the law enforcement task force of the Contact Group on Piracy off the Coast of Somalia. It is also important that the Federal Government of Somalia implements international standards, including by becoming a State party to the United Nations Convention against Transnational Organized Crime, strengthening its law enforcement capacity, and enhancing collaboration with other countries, including on extradition agreements.

63. Pirate criminal enterprises are often also involved in other organized criminal activities, such as human trafficking and the drug trade. The Indian Ocean Forum on Maritime Crime, which involves more than 20 coastal States, from South Africa in the west to Australia in the east, is the type of regional body that is needed to tackle wider maritime criminality.

64. I applaud the continued programmatic support of stakeholders to regional organizations of Eastern and Southern Africa, including the Common Market for Eastern and Southern Africa, the East African Community, the Intergovernmental Authority on Development and the Indian Ocean Commission, to combat maritime crime in the Indian Ocean. Such support remains critical to strengthening the capacity of the region to respond to maritime crime.

65. I reiterate my call for the immediate and unconditional release of all innocent seafarers held hostage in Somalia so that they can be reunited with their families. I call upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure the immediate release of the hostages. Meanwhile, I encourage Governments, industry and humanitarian organizations to help to alleviate the suffering of piracy survivors and their families, including by contributing to the Piracy Survivor Family Fund of the Contact Group on Piracy off the Coast of Somalia.

66. The activities to support development, governance and the rule of law in Somalia are the final "hard laps" that must be run if we are to secure sustained victory against piracy. Only through such efforts can we reach the bedrock that will underpin the elimination of piracy as a threat, namely, a peaceful and stable Somalia. Sustained international cooperation and the support of naval forces must also continue to further suppress organized criminal networks that target merchant vessels. The United Nations remains committed to continuing its support to the efforts of the people and Federal Government of Somalia to eliminate the scourge of piracy.